IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.503 OF 2005
IN
CHAMBER SUMMONS NO.1336 OF 2003
IN
SUIT NO.4913 OF 2000

Majid Oomerbhoy Appellant

versus

Rashid Sattar Oomerbhoy & ors. Respondents

Mr.V.R.Dhond i/by M/s.Thakore Jariwala & Aswsociates for appellant.

Mr.Sanjay Jain i/by M/s.Malvi Ranchoddas & Co. for respondent no.1.

Mr.Sagar Kadam i/by M/s.S.Mahomedbhai & Co. for respondents 2 to 4.

CORAM : DR.S.RADHAKRISHNAN AND
S.C.DHARMADHIKARI, JJ.

DATE : 29th August 2005

PC :

1. Heard learned counsel for appellant and respondents. The only issue raised in this appeal is that the learned Single Judge has not considered appellant’s claim with regard to prayers (g) and (h) of Notice of Motion No.1336 of 2003. We have perused the impugned order.

There is no discussion with regard to prayer clauses (g) and (h). We allow the appellant to raise contentions with regard to prayer clauses (g) and (h) by taking out appropriate proceedings. Appeal is allowed to be withdrawn and dismissed as such with the aforesaid liberty.

(DR.S.RADHAKRISHNAN, J.)

(S.C.DHARMADHIKARI, J.)